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UNCLAS PARAMARIBO 000417

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SENSITIVE

E.O. 12958: N/A
TAGS: [SNAR](#) [KCRM](#) [KJUS](#) [CJAN](#) [NS](#)
SUBJECT: REQUEST TO CLARIFY EXTRADITION PROCESS UNDER
EXTANT LAWS TO SURINAME OFFICIALS

REF: (A)PARAMARIBO 382 (B)PARAMARIBO 411

¶1. (U) This is an action request; see para four.

¶2. (SBU) Suriname remains an important transit country for drugs, with estimates of up to 2-4 metric tons per month moving through the country. Stepped up policing efforts suggest that persons of interest to the United States are likely to be arrested in Suriname. At present the treaty in force with regard extradition dates from 1887 with an amendment in 1904. It was taken over by Suriname at the time of independence in 1975. In terms of narcotics offenses the treaty is supplemented by the 1988 UN Convention on Illicit Drugs and Psychotropic Substances.

¶3. (SBU) In 2004 the United States requested provisional arrest for extradition of a Colombian national, but the coupling of treaty and convention as an effective modern tool was never put to the test, as the individual was convicted in Suriname and sentenced to 12 years in prison. Recently the US requested provisional arrest for extradition in the high profile case of Roger Khan. (See ref A). One of Khan's lawyers claimed extradition was impossible in the absence (sic) of an extradition treaty between the US and Suriname. The press entertained itself with headlines on America's attempt to resurrect a colonial era treaty in the modern age. Articles which referred to the UN convention conveyed the impression that there was a choice of applying it, or the treaty, overlooking the US position that the convention works hand in glove with an existing treaty to supplement its provisions. Far more worrisome was that this was the position of Suriname's Attorney General in discussions with the Ambassador. He was also of the opinion that pursuing extradition would be tremendously complex as lawyers and judges parsed each phrase in the convention and sought to discredit the antique treaty. The decision of Suriname to deport Khan leaves the viability of the extradition option untested. (see ref B). Suriname's constitutional prohibition on the extradition of its nationals would seem to bar any discussion of negotiating a new treaty.

¶4. (SBU) The Embassy believes, however, that it would be in the USG interest to initiate a discussion with Suriname's Attorney General and public prosecutors on how we see the UN convention supplementing existing treaties and how GOS lawyers might effectively frame their arguments to permit these tools to be used in the future. It would be possible to handle this either with a visit by an expert from L, which post believes would be seen as very positive sign of interest in furthering a cooperative relationship, or via digital video conference. Department please advise.

